

REMARKS

STATUS OF THE CLAIMS

Claims 1-3, 5-16, and 18-31 are presently pending. Claims 1 and 14 have been amended to further define the friction modifying compound. Support for these amendments can be found in original claims 4 and 17, and in the originally filed specification, for example at page 11, lines 5 to 9. Claims 8, 19, 23, and 27 have been amended to correct typographical errors. Claims 4 and 17 have been cancelled. No new matter has been added.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-3, 5-16, and 18-31 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 8, 14, 19, 23, and 27 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, it is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

As will be discussed below, the presently claimed invention is neither taught nor suggested by Wallace, alone or in combination with Srinivasan and Walsh, and thus allowance of the present application is earnestly solicited.

CHANGE IN ATTORNEY DOCKET NUMBER

Applicants thank the Examiner for accepting the Power of Attorney filed October 24, 2006, which also included a change of attorney docket number. However, Applicants note that the Final Office Action references an old attorney docket number. Applicants respectfully request that the file be updated to reflect the new attorney docket number (0013.0051).

REJECTION UNDER 35 U.S.C. §103

Claims 1-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,492,638 to Wallace et al. ("Wallace") in view of U.S. Patent No. 5,358,650 to Srinivasan et al. ("Srinivasan") and U.S. Patent No. 4,584,113 to Walsh ("Walsh"). In light of the present amendments, Applicants respectfully submit that the combination of references fails teach or suggest the claimed invention.

The Examiner has admitted that *Wallace* does not teach or suggest the claimed friction modifying compound, *c.* See Final Office Action at page 3. The Examiner has relied upon *Srinivasan* for teaching compositions comprising conventional additives for lubricant compositions, but does not rely on *Srinivasan* for overcoming the deficiencies of *Wallace*. See *id.* Alternatively, the Examiner has relied on *Walsh* for overcoming the deficiencies of *Wallace*. The Examiner has argued that *Walsh* "discloses lubricants that contain sulfurized components of a mixture of a terpene and a polyolefin," and that "these reactants may contain amine and/or amide groups." See *id.* The Examiner has

further argued that "the polyalkylene amines of Walsh would possess any friction modifying capabilities ordinarily associated with the compounds." See *id.* at page 5. However, neither *Srinivasan* nor *Walsh* teach or suggest the presently claimed friction modifying compound, c.

As argued by the Examiner, *Walsh* teaches modified terpene and olefinic compounds. Furthermore, *Srinivasan* teaches Mannich base dispersants that are formed by condensing a hydrocarbyl-substituted phenol with one or more aliphatic aldehydes and one or more general polyamines. See col. 8, lines 23-29. However, each of the references fails to teach or suggest a friction modifying compound comprising an alkylene amine compound comprising an N-aliphatic hydrocarbyl-substituted trimethylenediamine, wherein the N-aliphatic hydrocarbyl-substituent comprises at least one straight chain aliphatic hydrocarbyl group free of acetylenic unsaturation and having about 14 to about 20 carbon atoms, as presently claimed. Therefore, *Srinivasan* and *Walsh* both fail to overcome the deficiency of *Wallace*.

Thus, the combination of *Wallace* and *Srinivasan* and *Walsh* fails to teach or suggest all of the claimed elements. For at least the foregoing reasons, the Examiner has failed to establish that the combination of cited references would have rendered obvious the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

AMENDMENT AFTER FINAL REJECTION
ATTORNEY DOCKET No. 0013.0051
APPLICATION No.: 10/693,197

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 50-2961.

Respectfully submitted,

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